

U. S. Small Business Administration
Georgia District Office
Atlanta Regional Office

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Business Opportunity Specialists (BOS)

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This guide provides basic information about participation in the 8(a) Program. It is intended to help Program Participants to better understand some of the program's key policies, requirements, benefits, and procedures. The guide will serve as a hand reference to supplements the person in business development and contracting orientations that are provided to all newly certified 8(a) companies in Region IV.

This guide is not intended to be a detailed description of the operational aspects of the 8(a) Program. Detailed program policy is contained in the U.S. Small Business Administration's Rules and Regulations in 13 Code of Federal Regulations Part 124. Participation in the 8(a) Program is also governed by the Participation Agreement which is signed by an 8(a) company's principal after being certified for program participation.

A Business Opportunity Specialist (BOS) is assigned to each 8(a) company. This specialist provides guidance and assistance to 8(a) Companies.

From time to time 8(a) Program policies may change as a result of new laws, regulations, or procedures. 8(a) companies are informed of these changes.

Stages of Participation

Developmental Stage

The developmental stage is to last no longer than four years and is designed to assist the participant in overcoming its economic disadvantage by providing access to markets and strengthening its financial and management skills. An 8(a) company may receive certain benefits in the developmental stage that are not available in the transitional stage.

Transitional Stage

The transitional stage is to last no longer than five years and is designed to prepare an 8(a) company for completing the program as a viable company capable of competing in the marketplace.

Total participation in the 8(a) Program is limited to nine years from the date of certification. No extensions beyond nine years may be granted.

Competitive Business Mix

To insure that 8(a) firms do not develop an unreasonable reliance on 8(a) contracts and to ease the transition of firms into the competitive marketplace after exiting the 8(a) Program. Program participants must make maximum effort to obtain business outside the 8(a) Program.

Development Stage

During the first four years of program participation (developmental stage), an 8(a) concern must make substantial and sustained efforts to attain the targeted dollar levels of non-8(a) revenue established in its business plan. A business concern which enters the 8(a) Program must make maximum efforts to maintain its existing business base and use the 8(a) Program as a resource to strengthen the firm after certification.

Transitional Stage

During the last five years of Program participation (Transitional Stage), an 8(a) concern shall be subject to the following non-8(a) business activity targets during each year of program participation in the transitional stage:

Non-8(a) Business Activity Targets (Non-8(a) Revenue as a % of Total Revenue)	
Year in 8(a) Program	
5 th	15%
6 th	25%
7 th	35%
8 th	45%
9 th	55%

8(a) concerns must report on achieving their non-8(a) business activity targets in a Business Activity Report which is submitted as a part of the Annual 8(a) Update Report.

Leaving the 8(a) Program

A program participant may leave the 8(a) Program as a result of one of the following:

Completion of nine years in the program.

Graduation: Successfully completing the program prior to nine years by substantially achieving the targets, objectives, and goals contained in the company's business plan thereby demonstrating ability to compete in the marketplace without 8(a) program assistance.

Termination: Total denial or suspension of assistance provided prior to graduation or prior to the expiration of nine years in the program. An action for termination shall be based on good cause.

Voluntary Withdrawal: An 8(a) concern may voluntarily withdraw from the 8(a) Program at any time during its term of program participation prior to being issued a notice of graduation or termination.

Procurement Center Representative

Explanation of Acronyms:

TPCR – Traditional Procurement Center Representative – TPCRs increase the small business share of Federal procurement awards by initiating small business set-asides, reserving procurements for competition among small business firms; providing small business sources to Federal buying activities; and counseling small firms.

BPCR – Breakout Procurement Center Representative – BPCRs advocate for the breakout of items for full and open competition to effect savings to the Federal Government.

CMRs – Commercial Marketing Representatives - CMRs identify, develop and market small businesses to large prime contractors and assist small businesses in identifying and obtaining subcontracts.

AREA III

AREA III: Includes the states of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee

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NAME AND ADDRESS

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Army Corps of Engineers - Charleston, SC
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Federal Procurement Website

Website on How to Get Government Business

<http://www.business.gov/busadv/maincat.cfm?catid=265>

Current Size Regs Complete

<http://www.sba.gov/library/cfrs/13cfr121/html>

Current BIZ OPPS Website

<http://www.eps.gov/>

Current Size Standards Page re: Changes to Size Standards

<http://www.sba.gov/size/>

How to apply on-line for HUB Zone Certification

https://eweb1.sba.gov/Hubzone/internet/application/dsp_apps_home.cfm

Everything you want to know about SIC/NAICS Codes and How to Convert

<http://epic.od.nih.gov/naics/index.asp>

Listing of non-manufacturer waivers

<http://www.sba.gov/GC/approved.html>

Web Page on PSC-FSC Codes

<http://www.gmu.edu/gmu/PTAP/pscfsc.html>

Website on Women in Business

<http://www.womenbiz.gov/>

Reporting Requirements

8(a) Annual Review Forms:

- 8(a) Annual Update Form 1450 - <http://www.sba.gov/library/forms.html>
 - SBA Form 413 - <http://www.sba.gov/library/forms.html>

SBA Form 1790 - <http://www.sba.gov/library/forms.html>

Financial Statement:

SAMPLE FORMAT for FINANCIAL STATEMENT
XYZ COMPANY
ANYWHERE, GEORGIA
BALANCE SHEET

12 MONTHS ENDING DECEMBER 31, 2001

ASSETS

Current assets:

Cash & Equivalent	\$	5,000.00
Account Receivable		10,000.00
Inventory		4,000.00
Prepaid Expense		
Other current Assets		<u>500.00</u>
TOTAL CURRENT ASSETS	\$	19,500.00

FIXED ASSETS:

Furniture & Fixture		
Vehicle		
Equipment/Machinery	\$	20,000.00
Leasehold improvements		
Buildings		
Lands		
Accumulated Depreciation		1,000.00
Joint Ventures		
Intangibles		
Other Non-Current Assets		<u>450.00</u>
TOTAL ASSETS	\$	<u>38,950.00</u>
		=====

LIABILITIES

CURRENT LIABILITIES:

Accounts Payable	\$	2,150.00
Current Portion, Ltd		
Notes Payable (short term due in 1 yr)		1,800.00
Accrued Expenses		250.00
Income Tax Payable		25.00
Other Current Liabilities		<u></u>
TOTAL CURRENT LIABILITIES	\$	4,225.00

LONG TERM LIABILITIES:

Notes Payable Long Term	\$	3,500.00
Bank Loans Payable		
Deferred Taxes		
Other Loans Payable		
Other Long Term Liabilities		<u></u>
TOTAL LIABILITIES	\$	7,725.00

OWNER'S EQUITY:

Capital Stock	\$	19,225.00
Retain Earnings		<u>12,000.00</u>
TOTAL EQUITY	\$	<u>31,225.00</u>
TOTAL LIABILITIES & OWNER'S EQUITY	\$	38,950.00

SAMPLE FORMAT for FINANCIAL STATEMENT

XYZ COMPANY

ANYWHERE, GEORGIA

PROFIT AND LOSS (Income) STATEMENT

12 MONTHS ENDING DECEMBER 31, 2001

Total 8(a) Sales	\$	90,000.00
Non 8(a) Sales		<u>10,000.00</u>
GROSS SALES (Revenue)	\$	100,000.00

Cost of Goods Sold	\$	79,000.00
OPERATING PROFIT	\$	21,000.00

GENERAL & ADMINISTRATIVE EXPENSE

Advertising & Promotion	\$	
Bad Debts		
Bank Charges		
Service Charges		
Car & Delivery		
Commission		
Amortization of tangibles		
Depreciation & Depletion		
Dues & Publications		
Employees Benefit Program		
Freight/Postage		
Insurance		500.00
Laundry/Cleaning		
Leased Equipment		
Legal/Professional		500.00
Pension/Profit sharing/Payroll Taxes		
Office Expenses		
Outside Labor		
Rent		
Repairs/Maintenance		
Operating Supplies		
Taxes/Licenses		
Travel/Entertainment		
Telephone/Utilities		500.00
Payroll (officers)		4,000.00
Salaries		
Interest		500.00
Income Taxes		
Dividend/Distri.		
Miscellaneous		
Other Expenses		<u> </u>
TOTAL EXPENSES	\$	6,000.00
NET INCOME	\$	15,000.00

For Changes in Ownership/Legal Structures

Although 8(a) participants have already been certified, they may need to resubmit updated information (SBA Forms 413, 912, 1010, and Personal Tax Returns) so that the Central Office can verify their continuing program eligibility status.

Any new owner(s) claiming disadvantage status should submit the following:

- SBA Form 1010, Personal eligibility Statement
- SBA Form 912, Statement of Personal History
- SBA Form 413, Personal Financial Statement; and
- Most Recent Personal Tax Return

New owner(s) not claiming disadvantage status need not submit SBA Form 1010.

In addition, the District Counsel should review documents for legal sufficiency.

To Recognize Contractor's Change of Name, with no change to the 8(a) concern's ownership, control and eligibility.

As prescribed in FAR 42.1205, if only a change of the contractor's name is involved and the Government and contractor's rights and obligations shall remain unaffected, the following information is required for SBA's review and consent:

1. A written request for the change of name.
2. The documents effecting the name change including minutes of meetings and resolutions from the board of directors and shareholders; copies of stock certificates (front and back) and; an amendment to the certificate of incorporation, authenticated by a proper official of the State having jurisdiction.
3. The opinion of the contractor's legal counsel stating that the change of name shall be properly effected under applicable law and showing the effective date.
4. If applicable, a list of all affected 8(a) contracts and purchase orders remaining unsettled between the contractor and the Government, showing for each the contract number and type, and name and address of the contracting office.

Change In Ownership Required Documentation for Submission to the Central Office

District Office analysis. This analysis must include:

- _____ A summary of the ownership and control of the 8(a) participant prior to the proposed change.
- _____ A summary of the ownership and control of the 8(a) participant after the proposed change.
- _____ An analysis as to the firm's compliance with the following regulations:
124.102; 124.103; 124.104; 124.105; 124.106;
24.108(a)(b)©(e); 124.109©(e).
- _____ District Counsel review.
- _____ SBA Form 1010A, 8(a) Personal Eligibility Statement for each owner, partner, stockholder and director who is claiming social and economic disadvantage.
- _____ If the District Office has reason to question an individual's socially disadvantaged status, the District office may require that he/she demonstrates that he/she holds himself/herself out and is identified as a member of a designed group, pursuant to 13 CFR 124.105(b)(2). SBA will consider documentation such as a birth certificate, proof of tribal membership, proof of membership in an ethnic or racial group, affidavits of family members or others, etc. However, a legal document such as a birth certificate will not be dispositive. SBA will consider all information and documentation submitted by the individual.
- _____ SBA Form 1010B, Business Eligibility Statement - only those sections of the form indicating the proposed changes of ownership, control and/or management need to be completed.
- _____ SBA Form 413, Personal Financial Statement - for each new officer, Director, or more than 10% stockholder and the spouse of such individual.

- _____ Personal income tax returns for the most recent two year period, including all W-2 forms and schedules, for each new Director or more than 10% owner.
- _____ SBA Form 912, Statement of Personal History for each new officer, Director, more than 10% owner, and key employee.
- _____ FD 258, Fingerprint Card - for any new individual who indicates an arrest record on SBA Form 912.
- _____ Final outcome of FBI and S&I
- _____ Resumes for each new officer, Director, more than 10% owner, and key employee.
- _____ Copies of all stock certificates (front and back). They need not be signed.
- _____ A copy of the stock ledger.
- _____ Copies of any stock contingencies.
- _____ A copy of any buy/sell agreements, stock options, etc.
- _____ A copy of any other documentation that may affect the final determination, such as Articles of Incorporation, By-laws, minutes of shareholders' meeting, Minutes of Board of Directors' meetings, Resolutions of the Board of Directors.
- _____ If the 8(a) concern is a partnership, a copy of its proposed Partnership Agreement, including any buy/sell agreement.

All changes in ownership requests should be forwarded to the Assistant Administrator, Division of Program Certification and Eligibility, after review by the ADD/MED, District Counsel, and the District Director. Requests not involving new certifications of social and economic disadvantage will be decided by the Assistant Administrator, DPCE. Requests involving new certifications of social and economic disadvantage will be decided by the AA/MED.

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